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10 Attorneys for Plaintiff

FACEBOOK, INC.

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12 UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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SAN JOSE DIVISION

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16 FACEBOOK, INC.,

Case No. C08 03889 JF HRL

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Plaintiff,

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v.

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ADAM GUERBUEZ; ATLANTIS BLUE
CAPITAL; AND DOES 1-25,

**DECLARATION OF THOMAS J.
GRAY PURSUANT TO CIVIL
LOCAL RULE 7-11 AND 79-5(B) IN
SUPPORT OF PLAINTIFFS'
ADMINISTRATIVE MOTION TO
SEAL PLAINTIFF'S:**

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Defendants.

**(1) APPLICATION FOR DEFAULT
JUDGMENT AGAINST ADAM
GUERBUEZ AND ATLANTIS BLUE
CAPITAL**

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OHS West:260543982.1

DECLARATION ISO ADMINISTRATIVE MOTION TO
SEAL CASE NO. C08 03889 JF HRL

1 I, Thomas J. Gray, declare as follows:

2 1. I am an attorney with the law firm of Orrick, Herrington & Sutcliffe LLP, counsel
3 to Plaintiff Facebook, Inc. I am licensed to practice law in the State of California. I have
4 personal knowledge of the facts and circumstances set forth in this Declaration. If called as a
5 witness, I could and would testify competently to the matters set forth herein. I make this
6 Declaration pursuant to Civil L.R. 7-11 and 79-5(b).

7 2. Good cause exists for sealing Plaintiff's (1) Application For Default Judgment
8 Against Adam Guerbuez And Atlantis Blue Capital and (2) Exhibit N to the Declaration Of P.
9 Wayne Hale In Support Of Application For Default Judgment Against Adam Guerbuez And
10 Atlantis Blue Capital.

11 3. Plaintiffs' Application For Default Judgment Against Adam Guerbuez And
12 Atlantis Blue Capital and Exhibit N to the Declaration Of P. Wayne Hale In Support Of
13 Application For Default Judgment Against Adam Guerbuez And Atlantis Blue Capital contain
14 commercially sensitive and/or confidential information that, if released to the general public, will
15 adversely affect Facebook.

16 4. This Administrative Motion is being made pursuant to Civil L.R. 79-5, which
17 requires a Court order to seal documents and does not permit sealing by stipulation. A stipulation
18 could not be obtained because Defendant has not appeared or responded in this case in any way.

19 I declare under penalty of perjury that the foregoing is true and correct to the best of my
20 knowledge. Executed this 10th day of November, 2008, at Irvine, California.

1 Dated: November 10, 2008
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I. NEEL CHATTERJEE
THOMAS J. GRAY
P. WAYNE HALE
Orrick, Herrington & Sutcliffe LLP

/s/ Thomas J. Gray
Thomas J. Gray
Attorneys for Plaintiff
FACEBOOK, INC.